

**REMARKS****I. INTRODUCTION**

Applicants thank the Examiner for the indication that claims 11, 12, 19 and 20 would be allowed if rewritten in independent form.

Accordingly, claims 10, 12, 18 and 20 have been amended above to include certain recitations of claims 11, 12, 19 and 20 which the Examiner believes to include allowable subject matter, and to address certain comments made by the Examiner in the Final Office Action and the Advisory Action. Claims 12 and 20 have been amended to delete such features. Claims 11 and 19 have been cancelled (without prejudice) and the subject matter thereof incorporated into independent claims 10 and 18, respectively. Claim 26 has been cancelled without prejudice. Accordingly, claims 10, 12, 15-18 and 20-25 are now under consideration in the above-referenced application. Provided above, please find a claim listing indicating the current amendment to claims 10, 12, 18 and 20.

Applicants respectfully assert that the amendments to claims 10, 12, 18 and 20 fully comply with the requirements set forth in 37 C.F.R. § 1.121. It is respectfully submitted that no new matter has been added.

**II. REJECTION UNDER 35 U.S.C. § 112 SHOULD BE WITHDRAWN**

Claims 10, 15-18 and 21-25 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Specifically, the Examiner alleges that there is no antecedent support in the specification for the recitation of other than 4% to 20% aluminum and excluding zinc as the balance material when claimed amount of magnesium are present. (See Final Office Action, dated September 21, 2006, para. 3).

Although Applicants respectfully disagree that the amount of aluminum is necessary, claims 10 and 18 have been amended herein above to recite that the plated layer contains Al of about 4% to 20% in mass.

Concerning the Examiner's comments regarding the exclusion of zinc as the balance of the impurities in claims 10 and 18, Applicants respectfully assert that the specification of the above-identified application *in no way requires* any such recitation to be included in the claims of the present application. The description provided in paragraphs [0012] and [0030]-[0032] of the Substitute Specification described an exemplary embodiment of the steel material, and do not include any requirement that such features must be included in claims 10 and 18. Such exemplary feature is recited in claims 11, 12, 19 and 20 of the above-identified application.

However, in order to expedite the prosecution of the present application, independent claims 10 and 18 have each been amended above to include such recitation. Applicants reserve the right to prosecute the above-describe matter in other application(s).

Thus, for at least the reasons presented herein above, the rejection under 35 U.S.C. § 112, first paragraph, is now moot, and should therefore be withdrawn.

### **III. REJECTION UNDER 35 U.S.C. § 103 SHOULD BE WITHDRAWN**

Claim 26 stands finally rejected under 35 U.S.C. § 103 as allegedly being unpatentable over PCT Publication No. WO 01/27343 by Friedersdorf et al. ("Friedersdorf").

As the Examiner shall ascertain, independent claim 26 has been cancelled above, without prejudice. Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 26, is now moot, and should therefore be withdrawn.

**IV. ALLOWABLE SUBJECT MATTER**

Applicants gratefully agree with the Examiner's indication that previously-pending claims 11, 12, 19 and 20 include allowable subject matter.


As indicated above, claims 10 and 18 have been amended above to include a particular recitation claim 11 or 12 and claims 19 or 20, respectively, which Applicants believe that the Examiner indicated as including allowable subject matter. Accordingly, Applicants respectfully request that the allowability of claims 10 and 18 and the claims which depend therefrom be confirmed in a subsequent communication.

**V. CONCLUSION**

In view of the above, it is respectfully submitted that pending claims 10, 12, 15-18 and 20-25 are in condition for allowance. Prompt consideration, reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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